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UNITED STATES OF AMERICA :

-v- : 07 Cr. 815 (HB)

KAMILJAN TURSUNOV, :

Defendant. :

- - - - - x

RESPONSE TO DEFENDANT KAMILJAN TURSUNOV'S MOTION

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January 7, 2008

BY ECF & BY HAND

The Honorable Harold Baer, Jr.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: United States v. Kamiljan Tursunov
07 Cr. 815 (HB)**

Dear Judge Baer:

The Government writes respectfully in response to defendant Kamiljan Tursunov's motion, dated January 4, 2008, for (1) notice of evidence which the Government intends to introduce at trial pursuant to Federal Rule of Evidence 404(b), at least three weeks prior to trial, and (2) Brady materials.

The Government intends to provide notice of evidence pursuant to Rule 404(b) three weeks prior to trial.

The Government recognizes its obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny. To date, the Government is unaware of any Brady materials, but will provide timely disclosure if any such material comes to light.¹ The Government will further provide material under Giglio v. United States, 405 U.S. 150, 154 (1972), and its progeny, in a timely manner for effective use at trial. See United States v. Coppa,

¹ Based on the Government's representation, the Court does not need to order compliance with the Government's Brady obligations. See United States v. Guttenberg, No. 07 Cr. 141 (DAB), 2007 WL 4115810, at *6 (S.D.N.Y. Nov. 14, 2007)(quoting United States v. Perez, 940 F. Supp. 540, 553 (S.D.N.Y. 1996)("Courts in this Circuit have repeatedly denied pretrial requests for discovery orders pursuant to Brady where the Government, as here, has made a good-faith representation to the court and defense counsel that it recognizes and has complied with its disclosure obligations under Brady")).

Honorable Harold Baer, Jr.

January 7, 2008

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267 F.3d 132, 135 (2d Cir. 2001).

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By: _____/s/_____
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cc: Counsel to Manokhin
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Counsel to Tursunov